PLEASE RETURN
C&E Unit ~~Route~~ Slip: THANKS.

Date Finished
Dale 2.24.10
Linda Dale
Tim Evans

NOTICE OF COMPLIANCE/NON-COMPL

KANSAS DEPARTMENT OF HEALTH AND ENVIRONMI
Division of Environment
Waste Management Program

Initial Inspection: (Yes) No Follow-up Inspection: Yes (No) Complaint: Yes (No)
Hazardous Waste: LDF ( ) TSF (X) GEN ( ) KG (X) SQ ( ) UNV ( ) NOT A GEN ( ) OTHER ( )
Used Oil: UOG ( ) UOT ( ) UOM ( ) UOP ( ) UOB ( )
Solid Waste: SLF ( ) TRS ( ) CDL ( ) ILF ( ) YWC ( ) SWP ( ) HHW ( ) OBS ( ) MTP ( ) WTM ( ) WTP ( ) WTR ( ) WTT ( )

TO: Clean Harbors Kansas, LLC (Facility Name) 1 / 28 / 2010 (Date)

2549 N. New York (Address) | Wichita (City) | KS (State) | 67219 (Zip Code) | Sedgwick (County)

KSD007246846 (EPA Identification No.)

(Solid Waste Permit No.)

This inspection was conducted to determine compliance with the state and federal solid and/or hazardous waste statutes and regulations.

☒ Violations As Follows ☐ No Violations Identified

Citation	Description of Violation
1. Permit Section III. A. / 40 CFR 264 Subpart I	Failure to comply with the permit for containers of onsite generated waste stored for over 90 days.
2. K.A.R. 28-31-4(b)	Failure to determine if waste is hazardous. (oil-dry in building D & Fluorescent waste (lamps) JM

(A) Product that had spilled on the floor in Building I J must be cleaned up immediatly, so as to keep the material from being disposed of outside and on the ground

☒ Other Comments/Concerns:

(B) The roll-off containers located west of Building B must be labeled correctly. All prior hazardous waste labels should be removed from containers.

This notice is provided to call immediate attention to those areas of non-compliance. This notice does not constitute a compliance order issued by KDHE and may not be a complete listing of all violations which may be identified as a result of this inspection. Your facility must submit in writing within 15 days of receipt of this notice a description of all corrective actions taken. Any corrective actions taken by your facility will be considered in subsequent enforcement follow-up.

Your response must be submitted to:
Joseph Mitchell
Kansas Department of Health and Environment
South Central District Office
Waste Management Program
130 S. Market, Suite 6050
Wichita, Kansas 67202-3802

509825
RCRA

If you have any questions concerning this Notice or wish to discuss your response, you may call me at (316) 337-6020 or Bureau of Waste Management in the Topeka office at (785) 296-1600.

This Notice was prepared by: Joseph Mitchell
Date 1 / 28 / 2010

I, the undersigned hereby acknowledge that I have received and read this Notice.
Printed Name: James Matthew Noble
Signature: James Matthew Noble
Title: Facility General Manager
Date 01 / 28 / 10

COPIES: White-Facility; Yellow-Bureau of Waste Management; Blue-District

KANSAS DEPARTMENT OF HEALTH AND ENVIRONMENT

BUREAU OF WASTE MANAGEMENT
BUREAU OF ENVIRONMENTAL FIELD SERVICES

COMPLIANCE INSPECTION CHECKLIST
HAZARDOUS WASTE COVER PAGE

General ☒ Routine ☐ Complaint

EPA/ ID/Permit No. KSD 007 246 846 Time 9:10 a.m. Date 1/27&28/10

Facility Name Clean Harbors Kansas L.L.C. District SCDO

Street 2549 N. New York City Wichita ,KS ZIP 67219

Mailing Address (if different than above) Same

County Sedgwick Number of Employees 11

Phone (316)269-7400 Fax (316)269-7455 e-mail noble.james@cleanharbors.com

Contact(s) Mathew Noble, Facility General Manager Inspector(s) Joseph Mitchell

Type of Business Treatment, storage, and disposal facility; 10-day truck to truck transfer.

Operating Hours and Days Monday through Friday: 8:00 a.m. to 5:00 p.m.

Lat/Long Location Method: N/A Lat/Long Location Feature: N/A

Latitude: (e.g. 37.57621) N/A Longitude: (e.g. -101.57621) N/A

Has the Lat/Long been entered in the SW database? Yes ☐ No ☒

Hazardous Waste Inspection: ☒ Yes ☐ No

Generator Classification: ☐ Closed/Inactive ☐ Small Qty. Generator ☐ EPA Generator
☐ Not a Generator ☒ Kansas Generator ☐ Transporter

Other Regulated Activities: ☒ T/S/D Facility ☐ Tank System ☐ Subpart BB
(complete applicable checklist) ☐ Universal Waste Activities

Has the company declared any information/processes as trade secrets KSA 65-3447? No
If yes, explain:

If facility is closed/inactive, or has recently moved please provide a brief description.

Used Oil Activities: ☐ Yes ☒ No

Does the facility have a total above-ground storage capacity of used oil (excluding containers less than 55-gallons) of more than 1,320 gallons? ☐ Yes ☐ No ☐ NA

If yes, then the facility is subject to SPCC requirements due to used oil activities.
Does the facility have a SPCC Plan? ☐ Yes ☐ No ☐ NA

Facility Used Oil Activities (Attach a checklist for each one marked):

☐ Generator
☐ Transporter / Transfer Facility
☐ Used Oil Burner (Off-Spec Fuel)
☐ Collection Center / Aggregation Point
☐ Used Oil Processor / Re-Refiner
☐ Used Oil Marketer

Attach all applicable checklists.

HAZARDOUS WASTE GENERATOR
COMPLIANCE INSPECTION CHECKLIST

WASTE STREAM TABLE

(List all hazardous wastes first, followed by solid wastes.)

Waste Description or Process	Hazardous Waste Codes (or universal, recycled, exempt, or non-hazardous)	Waste Determination Method (process knowledge or analytical data)	Waste Amount Generated Per Month	Waste Amount Presently in Storage	Oldest Accumulation Start Date	Present Waste Disposal Location (name of TSDF, MSWLF, recycler, etc.)
Precipitation collected in sumps located in multiple buildings and process area.	D004, D005, D006, D007	PK	700 to 2000 gallons / year in 300-gallon totes	1 tote ~275-gallons 1 tote ~150-gallons	9/18/2009	Clean Harbors La Porte, TX
Personal Protection Equipment (PPE)	D001, D004, D005, D006	PK	55-gallon drum every 4 to 8 weeks	2, 55-gallon drums	6/14/08	Clean Harbors La Porte, TX
Lab pak (out-of-date reagents)	Varies (multiple D and U codes)	PK	2 to 3 gallons / year	None	N/A	Clean Harbors Cleveland, OH
Spent fluorescent lamps	Undetermined	Undetermined	1 8-foot Lamp	12, 8-foot lamps	7/21/08	Clean Harbors Cleveland, OH
Light ballast (non-PCB)	Non-hazardous	PK	1 / 6-12 months	None	N/A	Clean Harbors Cleveland, OH
Empty aerosol cans	Non-hazardous	PK	5 to 10 / year	None	N/A	Clean Harbors La Porte, TX
Solid waste (office trash)	Non-hazardous	PK	1, 20-cubic yard dumpster / biweekly 1, 40-cubic yard dumpster / year	None	N/A	Waste Management Wichita, KS

KANSAS DEPARTMENT OF HEALTH AND ENVIRONMENT
BUREAU OF WASTE MANAGEMENT

HAZARDOUS WASTE T/S/D FACILITY COMPLIANCE INSPECTION CHECKLIST

(NOTE: Permit conditions take precedence over requirements set forth in this checklist.)

General

EPA/ ID/Permit No. KSD 007 246 846 Time 9:10 a.m. Date 1/27&28/10

Facility Name Clean Harbors Kansas, L.L.C. District SCDO

Street 2549 N. New York City Wichita ,KS ZIP 67219

Mailing Address (if different than above) N/A

County Sedgwick Number of Employees 11

Phone (316)269-7400 Fax (316)269-7455 e-mail noble.james@cleanharbors.com

Contact(s) Mathew Noble, Facility General Manager Inspector(s) Joseph Mitchell

Type of Business Treatment, storage, and disposal facility; 10-day truck to truck transfer.

Operating Hours and Days Monday through Friday 8:00 a.m. to 5:00 p.m.

Has the company declared any information/process as trade secrets (KSA 65-3447)?
If yes, explain: NO

Activity at Site

Treatment

[ ] Chem/Phys/Bio Treatment
[ ] Containment Building
[ ] Filtration
[ ] Incineration
[ ] Recycling/Recovery
[ ] Reprocessing
[ ] Thermal Treatment
[ ] Volume Reduction
[ ] Other

Storage

[ ] Containment Building
[X] Drums
[ ] Pile
[ ] Surface Impoundment
[ ] Tank(s) (complete applicable checklist)
[X] Other Boxes

Disposal

[ ] Deep Well Injection
[ ] Incineration
[ ] Landfill
[ ] Land Treatment
[ ] Surface Impoundment
[ ] Other

Comments:

Waste Analysis Plan (DGS)

	YES	NO	NA
1. Does facility maintain a copy of its waste analysis plan at the facility? [264.13(b)/265.13(b)]	[X]	[ ]	[ ]
a. If yes, does the plan include:			
A. Parameters for which each hazardous waste will be analyzed and rationale for the selection of these parameters? [(264.13(b)(1)/265.13(b)1)]	[X]	[ ]	
B. Test methods which are used to test for these parameters? [264.13(b)(2)/265.13(b)(2)]	[X]	[ ]	
C. Sampling method used to obtain sample? [264.13(b)(3)/265.13(b)(3)]	[X]	[ ]	
D. Frequency with which the initial analysis will be reviewed or repeated to ensure the analysis is current? [264.13(b)(4)/265.13(b)(4)]	[X]	[ ]	
E. For off-site facilities, the waste analyses that generators have agreed to supply? [264.13(b)(5)/265.13(b)(5)]	[X]	[ ]	[ ]
F. For off-site facilities, the procedures which are used to inspect and analyze each movement of hazardous waste received to ensure that it matches the identify of the waste designated on the manifest? [264.13(c)/265.13(c)]	[X]	[ ]	[ ]

Waste Analysis Plan Requirements: **[X] Compliance [ ] Non-compliance [ ] NA**

Security (DGS)

2. Does the facility consider itself exempt from the security requirements as provided in 264.14(a)(1)&(2)/265.14(a)(1)&(2)?	[ ]	[X]	
If no,			
a. Does the facility provide either of the following:			
A. A 24-hour surveillance system (TV monitoring or guards)? [264.14(b)(1)/265.14(b)(1)]; **OR**	[ ]	[ ]	[X]
B. An artificial or natural barrier (fence, fence and cliff combination) and a means to control entry (attendant, TV monitoring, locked entrance, controlled roadway access)? [264.14(b)(2)/265.14(b)(2)]	[X]	[ ]	[ ]
b. Has the facility posted warning signs at each entrance to the active portion of the facility, and at other locations, in sufficient numbers to be seen from any approach to the active portion? [264.14(c)/265.14(c)]	[X]	[ ]	

Security Requirements: **[X] Compliance [ ] Non-Compliance [ ] NA**

General Inspection Requirements (DGS)

3. Does the owner/operator follow a written schedule at the facility for inspecting monitoring equipment, safety and emergency equipment, security devices, and operating and structural equipment? [264.15(b)(1)/265.15(b)(1)]	[X]	[ ]
4. Does the owner/operator keep the written inspection schedule at the facility? [264.15(b)(2)/265.15(b)(2)]	[X]	[ ]
5. Does the written inspection schedule identify the types of problems which are to be looked for during the inspections? [264.15(b)(3)/265.15(b)(3)]	[X]	[ ]
6. Does the owner/operator remedy any deterioration or malfunction of equipment or structures noted during the inspection? [264.15(c)/265.15(c)]	[X]	[ ]

YES NO NA

7. Does the owner/operator record inspections in an inspection log or summary which contains the date and time of inspection, name of inspector, notation of observations, and the date and nature of remedial action? [264.15(d)/265.15(d)] [X] [ ]

Inspection Requirements:	**[X] Compliance**	**[ ] Non-Compliance**	**[ ] NA**

Personnel Training (DGS)

8. Does the owner/operator maintain, at the facility, the following documents and records: [264.16/265.16]
   a. Job title for each position related to hazardous waste management and the name of the employee filling each job? [264.16(d)(1)/265.16(d)(1)] [X] [ ]
   b. Written job description for each position? [264.16(d)(2)/265.16(d)(2)] [X] [ ]
   c. Written description of type and amount of training to be given each person? [264.16(d)(3)/265.16(d)(3)] [X] [ ]
   d. Records of training given to facility personnel? [264.16(d)(4)/265.16(d)(4)] [X] [ ]

Personnel Training Requirements:	**[X] Compliance**	**[ ] Non-Compliance**	**[ ] NA**

Requirements for Ignitable, Reactive, or Incompatible Wastes (DGS)

9. Does the facility handle ignitable or reactive wastes? [264.17(a)/265.17(a)] [X] [ ]
   If yes,
   a. Is the waste separated and confined from sources of ignition or reaction, sparks, spontaneous ignition and radiant heat? [264.17(a)/265.17(a)] [X] [ ]
   b. Are smoking and open flames confined to specially designated locations? [264.17(a)/265.17(a)] [X] [ ]
   c. Are "No Smoking" signs posted in hazard areas? [264.17(a)/265.17(a)] [X] [ ]
   d. Does a check of the areas used to handle ignitable or reactive wastes show:
      A. Evidence of heat generation from interaction of incompatible wastes? [264.17(b)(1)/265.17(b)(1)] [ ] [X]
      B. Evidence of uncontrolled toxic mists, fumes, dusts, or gases in sufficient quantities to threaten human health or the environment? [264.17(b)(2)/265.17(b)(2)] [ ] [X]
      C. Evidence of uncontrolled flammable fumes or gases in sufficient quantities to pose a risk of fire or explosion? [264.17(b)(3)/265.17(b)(3)] [ ] [X]
      D. Evidence of any leakage from or corrosion of containers? [264.17(b)(4)/265.17(b)(4)] [ ] [X]

10. For permitted facilities only, when required to comply with paragraph (a) or (b) of 264.17/265.17, has the owner/operator documented that compliance? [264.17(c)] [X] [ ] [ ]

Ignitable, Reactive, or Incompatible Waste Requirements:	**[X] Compliance**	**[ ] Non-Compliance**	**[ ] NA**

Preparedness and Prevention (DPP)

11. Does an inspection of the facility show any evidence of fire, explosion, or contamination? [264.31/265.31] [X] [ ]

	YES	NO	NA
12. If applicable to the facility, is the facility equipped with:			
a. Internal communication or alarm system easily accessible in case of emergency? [264.32(a)/265.32(a)]	[X]	[ ]	[ ]
b. Telephone or hand-held two-way radio capable of summoning emergency response assistance from local police departments, fire departments, or State or local emergency response teams? [264.32(b)/265.32(b)]	[X]	[ ]	[ ]
c. Portable fire extinguishers, fire control, spill control equipment, and decontamination equipment? [264.32(c)/265.32(c)]	[X]	[ ]	[ ]
d. Water of adequate volume for hose streams, foam producing equipment, sprinklers, etc? [264.32(d)/265.32(d)]	[X]	[ ]	[ ]
13. Is the equipment (mentioned above) tested and maintained to ensure its proper operation? [264.33/265.33]	[X]	[ ]	[ ]
14. Whenever hazardous waste is being poured, mixed, spread, or otherwise handled:			
a. Do all personnel involved in the hazardous waste activity have immediate access to an internal alarm or emergency communication device, either directly or through visual or voice contact with another employee? [264.34(a)/265.34(a)]	[X]	[ ]	
b. Does an employee who is alone on the premises while the facility is operating have immediate access to a device capable of summoning external emergency assistance? [264.34(b)/265.34(b)]	[X]	[ ]	[ ]
15. Does a check of the facility show sufficient aisle space to allow unobstructed movement of personnel and equipment? [264.35/265.35]	[X]	[ ]	[ ]
16. As appropriate for the type(s) of waste handled, has the owner/operator:			
a. Made arrangements with the local emergency authorities to familiarize them with the layout of the facility, properties of wastes handled and associated hazards, places where facility personnel normally work, entrances to roads inside the facility, and possible evacuation routes? [264.37(a)(1)/265.37(a)(1)] [ ]	[X]		
b. Designated one primary authority in areas where more than one police and fire department might respond? [264.37(a)(2)/265.37(a)(2)]	[X]	[ ]	[ ]
c. Made agreements with state emergency response teams, emergency response contractors, and equipment suppliers? [264.37(a)(3)/265.37(a)(3)]	[X]	[ ]	[ ]
d. Familiarized local hospitals, with the properties of hazardous waste(s) handled and types of injuries that could result from fires, explosions, or releases at the facility? [264.37(a)(4)/265.37(a)(4)]	[X]	[ ]	
17. In cases where state or local authorities decline to enter into such arrangements, is the refusal entered in the operating record? [264.37(b)/265.37(b)]	[ ]	[ ]	[X]

Preparedness and Prevention Requirements:	**[X] Compliance**	**[ ] Non-Compliance**	**[ ] NA**

Contingency Plan and Emergency Procedures (DCP)

18. Is a contingency plan maintained at the facility and have copies been provided to outside agencies that may be called upon to provide emergency services? [264.53(a)/265.53(a)]	[X]	[ ]	
a. If yes, does the plan:			
A. Describe emergency actions facility personnel must take to respond to fires, explosions, or releases of hazardous waste? [264.52(a)/265.52(a)]	[X]	[ ]	

	YES	NO	NA
B. Describe arrangements agreed to by local police departments, fire departments, hospitals, contractors, and State and local emergency response teams? [264.52(c)/265.52(c)]	[X]	[ ]	
C. List the name(s), home address(es), and phone number(s) of designated emergency coordinator(s) in the order in which they should be contacted? [264.52(d)/265.52(d)]	[X]	[ ]	
D. Include a list of all emergency equipment at the facility, its location, a physical description of each item on the list, and a brief outline of its capabilities? [264.52(e)/265.52(e)]	[X]	[ ]	
E. Include an evacuation plan for facility personnel that describes signals and evacuation routes? [264.52(f)/265.52(f)]	[X]	[ ]	
19. Is an emergency coordinator available at all times? [264.55/265.55]	[X]	[ ]	
20. Has implementation of the plan been required at the facility?	[ ]	[ ]	[X]
a. If yes, was the facility required to submit a written report on the incident to the KDHE?	[ ]	[ ]	
A. If yes, was the written report submitted? [264.56(j)/265.56(j)]	[ ]	[ ]	

Contingency Plan and Emergency Procedures Requirements:	**[X] Compliance**	**[ ] Non-Compliance**	**[ ] NA**

Manifest System, Recordkeeping, and Reporting (DMR)

21. Does the facility receive waste from off-site? [264.71/265.71]	[X]	[ ]	
a. If yes, does the owner/operator:			
A. Sign and date each copy of the manifest? [264.71(a)(1)/265.71(a)(1)]	[X]	[ ]	
B. Note any significant discrepancies in the manifest on each copy of the manifest? [264.71(a)(2)/265.71(a)(2)]	[X]	[ ]	
C. Give a signed copy to the transporter? [264.71(a)(3)/265.71(a)(3)]	[X]	[ ]	
D. Send a signed copy of the manifest to the generator within 30 days of the delivery? [264.71(a)(4)/265.71(a)(4)]	[X]	[ ]	
E. Retain a copy of the manifest for at least three years from the date of delivery? [264.71(a)(5)/265.71(a)(5)]	[X]	[ ]	
22. Does the facility receive any waste from a rail or water (bulk shipment transporter?	[ ]	[ ]	[X]
a. If yes, is the shipment accompanied by a manifest or shipping paper containing the appropriate information? [264.71(b)/265.71(b)]	[ ]	[ ]	
If yes, does the owner/operator:			
A. Does the owner/operator sign and date the shipping paper? [264.71(b)/265.71(b)]	[ ]	[ ]	
B. Note any significant discrepancies in the shipping paper? [264.71(b)(2)/265.71(b)(2)]	[ ]	[ ]	
C. Immediately give the rail or water transporter at least one copy of the shipping paper? [264.71(b)(3)/265.71(b)(3)]	[ ]	[ ]	
D. Send a signed copy of the shipping paper to the generator within 30 days of the delivery? [264.71(b)(4)/265.71(b)(4)]	[ ]	[ ]	
C. Retain a copy of the shipping paper? [264.71(b)(5)/265.71(b)(5)]	[ ]	[ ]	
23. Has the facility received any shipments of waste that were inconsistent with the manifest? [264.72/265.72]	[ ]	[ ]	[X]
a. If yes, was an attempt made to reconcile the discrepancy with the generator and transporter? [264.72(b)/265.72(b)]	[ ]	[ ]	

	YES	NO	NA
A. If the discrepancy was not reconciled within 15 days, did the owner/operator immediately notify the KDHE? [264.72(b)/265.72(b)]	[ ]	[ ]	
24. Does the owner/operator keep a written operating record at the facility? [264.73(a)/265.73(a)]	[X]	[ ]	
a. If yes, does the operating record include:			
A. A description and the quantity of each hazardous waste received, and method(s) and date(s) of its treatment, storage, and disposal? [264.73(b)(1)/265.73(b)(1)]	[X]	[ ]	
B. The location of each hazardous waste within the facility and the quantity at each location? [264.73(b)(2)/265.73(b)(2)]	[X]	[ ]	
C. Records and results of waste analyses and waste determinations? [264.73(b)(3)/265.73(b)(3)]	[X]	[ ]	
D. Reports and details of incidents requiring implementation of the contingency plan? [264.73(b)(4)/265.73(b)(4)]	[X]	[ ]	
E. Records and results of required inspections? [264.73(b)(5)/265.73(b)(5)] [ ]	[X]		
F. Monitoring, testing, or analytical data? [264.73(b)(6)/265.73(b)(6)]	[X]	[ ]	
G. Notices to generators that the facility has the appropriate permit(s) for and will accept the waste the generator is shipping? [264.73(b)(7)/265.73(b)(7)]	[X]	[ ]	
H. Closure cost estimates (and for disposal facilities, post-closure cost estimates)? [264.73(b)(8)/265.73(b)(8)]	[X]	[ ]	
I. Certification by the permittee, at least annually, that a hazardous waste minimization program is in place at the facility? [264.73(b)(9)/265.73(b)(9)]	[X]	[ ]	
J. As applicable, documentation that the Land Disposal Requirements have been met? [264.73(b)(10-16)/265.73(b)(10-16)]	[X]	[ ]	[ ]
25. Does the owner/operator prepare and submit a copy of a biennial report to the KDHE by March 1 of each even numbered year? [264.75/265.75]	[X]	[ ]	
a. If yes, does the report include:			
A. The EPA identification number, name, and address of the facility? [264.75(a)/265.75(a)]	[X]	[ ]	
B. The calendar year covered by the report? [264.75(b)/265.75(b)]	[X]	[ ]	
C. A description and the quantity of each hazardous waste received during the year? [264.75(d)/265.75(d)]	[X]	[ ]	
D. The method of treatment, storage, or disposal for each hazardous waste? [264.75(e)/265.75(e)]	[X]	[ ]	
E. The most recent cost estimate and, as applicable, the most recent post-closure cost estimate? [264.75(g)/265.75(g)]	[X]	[ ]	
b. If yes and the facility receives waste from off-site facilities, does the report include:			
A. The EPA identification number of each hazardous waste generator from which the facility received a hazardous waste during the year? [264.75(c)/265.75(c)]	[X]	[ ]	[ ]
B. A description and the quantity, listed by the EPA identification number of each generator, of each hazardous waste received during the year? [264.75(d)/265.75(d)]	[X]	[ ]	[ ]
c. If yes and the facility receives shipments from foreign generators, does the report include the name and address of the foreign generators? [264.75(c)/265.75(c)]	[ ]	[ ]	[X]
d. If yes and the facility is also a generator who treats, stores, and/or disposes of hazardous waste on-site, does the report include a description of:			
A. The efforts undertaken during the year to reduce the volume and toxicity of waste generated? [264.75(h)/265.75(h)]	[ ]	[ ]	[X]
B. The changes in volume and toxicity of waste actually achieved during the year in comparison to previous years? [264.75(i)/265.75(i)]	[ ]	[ ]	[X]

	YES	NO	NA
26. Has the facility accepted any waste not accompanied by a manifest or shipping papers?	[ ]	[ ]	[X]
a. If yes, was the shipment excluded from manifest/shipping paper requirements?	[ ]	[ ]	
A. If no, did the facility submit an unmanifested waste report to the KDHE within 15 days? [264.76/265.76]	[ ]	[ ]	

Manifest System, Recordkeeping and Reporting Requirements: **[X] Compliance** **[ ] Non-Compliance** **[ ] NA**

Closure and Post-Closure (DCL)

27. Does the owner/operator have a written closure plan for the facility? [264.112(a)/265.112(a)]	[X]	[ ]
a. If yes, does the plan include:		
A. A description of how and when the facility will be closed? [265.112(b)/265.112(b)]	[X]	[ ]
B. A description of the steps necessary to completely close the facility? [264.112(b)(2)/265.112(b)(2)]	[X]	[ ]
C. An estimate of the maximum inventory of wastes in storage or in treatment at any give time during the facility life? [264.112(b)(3)/265.112(b)(3)]	[X]	[ ]
D. A description of the steps needed to decontaminate facility equipment at the time of closure? [264.112.(b)(4)/265.112(b)(4)]	[X]	[ ]
E. A description of the activities necessary to ensure that all closure satisfy the closure performance standards? [265.112(b)(5)/265.112(b)(5)]	[X]	[ ]
F. An estimate of the expected year of closure and a schedule for final closure which includes the total time required to close the facility and the time required for intervening closure activities which allow tracking closure progress? [264.112(b)(6)/265.112(b)(6)]	[X]	[ ]

28. Is the facility a disposal facility?	[ ]	[ ]	[X]
a. If yes, does the owner/operator have a written post-closure plan? [264.118(a)/265.118(a)]	[ ]	[ ]	
If yes, does the plan include:			
A. Ground-water monitoring activities and frequencies at which they will be performed? [264.118(c)(1)/265.118(c)(1)]	[ ]	[ ]	
B. Maintenance activities and frequencies at which they will be performed to ensure the integrity of the cap and containment structures where applicable, and the function of the monitoring equipment? [264.118(c)(2)/265.118(c)(2)]	[ ]	[ ]	
C. The name, address, and phone number of the person or office to contact during the post-closure period? [264.118(c)(3)/265.118(c)(3)]	[ ]	[ ]	

Closure and Post-closure Requirements: **[X] Compliance** **[ ] Non-Compliance** **[ ] NA**

Financial Requirements (DFR)

29. Does the owner/operator have a written estimate of the closure cost? [264.142(a)/265.142(a)]	[X]	[ ]
30. Has the owner/operator established financial assurance for facility closure and notified the KDHE? [264.143/265.143]	[X]	[ ]

	YES	NO	NA
31. Is the facility a disposal facility?	[ ]	[ ]	[X]
a. If yes, has the owner/operator:			
A. Established a written estimate of the annual cost of post-closure monitoring and maintenance of the facility? [264.144(a)/265.144(a)]	[ ]	[ ]	
B. Established financial assurance for post-closure care and notified the KDHE? [264.145/265.145]	[ ]	[ ]	
C. Obtained liability insurance for nonsudden and accident occurrences of at least $3 million per occurrence with an annual aggregate of at least $6 million exclusive of legal defense costs? [264.147(b)/265.147(b)]	[ ]	[ ]	
32. Has the owner/operator obtained liability insurance for sudden occurrences of at least $1 million with an aggregate of at least $2 million exclusive of legal defense costs? [264.147(a)/265.147(a)]	[X]	[ ]	

Financial Requirements: **[X] Compliance [ ] Non-Compliance [ ] NA**

Management of Containers (DMC)

33. Are containers presently used to store hazardous waste?	[X]	[ ]	
If yes,			
a. Are the containers in good condition? [264.171/265.171]	[X]	[ ]	
b. Are the containers compatible with the waste? [264.172/265.172]	[X]	[ ]	
c. Are all containers holding hazardous waste closed during storage except when necessary to add or remove waste? [264.173/265.173]	[X]	[ ]	
d. Does owner/operator inspect areas where containers are stored, at least weekly, for signs of leaking containers and for deterioration of the containers and containment system caused by corrosion or other factors? [264.174/265.174]	[X]	[ ]	
e. Does the storage facility store waste containing free liquids which would require it to have a containment system? [264.174/265.174]	[X]	[ ]	
If yes,			
A. Is the base free of cracks or gaps and sufficiently impervious to contain leaks, spills, and accumulated precipitation? [264.175(b)(1)/265.175(b)(1)]	[X]	[ ]	
B. Is the base sloped or the containment system otherwise designed and operated to drain and removed liquids? [264.175(b)(2)/265.175(b)(2)]	[X]	[ ]	
C. Does the containment system have sufficient capacity to contain 10% of the volume of containers or the volume of the largest container, whichever is greater? [264.175(b)(3)/265.175(b)(3)]	[X]	[ ]	
D. Is the containment system designed to prevent run-on or to have sufficient excess capacity in addition to that required in item C above? [264.175(b)(4)/265.175(b)(4)]	[X]	[ ]	
E. Are spilled or leaked waste and accumulated precipitation removed in a timely manner as necessary to prevent overflow of the system? [264.175(b)(5)/265.175(b)(5)]	[X]	[ ]	
f. Does the storage area store containers holding only wastes that do not contain free liquids?	[ ]	[X]	
If yes,			
A. Are the containment system requirements of 264.175(b)/265.175(b) met?	[ ]	[X]	
If no,			
i. Is the storage area sloped or otherwise designed and operated to drain and remove liquid resulting from precipitation? [264.175(c)(1)/265.175(c)(1)]; OR	[X]	[ ]	
ii. Are the containers elevated or otherwise protected from contact with accumulated liquid? [264.175(c)(2)/265.175(c)(2)]	[X]	[ ]	

	YES	NO	NA
g. Are containers holding ignitable or reactive waste located at least 50 feet from the facility=s property line? [264.176/265.176]	[X]	[ ]	
h. If waste in containers is incompatible with other materials stored nearby, in other containers, piles. open tanks, or surface impoundments, are the containers separated from other materials by means of a dike, berm, wall, or other device? [264.177(c)/265.177(c)]	[X]	[ ]	

Management of Containers:	**[X] Compliance**	**[ ] Non-Compliance**	**[ ] NA**

TSDF checklist converted 03/21/07 from Word Perfect document - TSD Checklist Revised 9/98

Additional Information and Conclusions:

RCRA Compliance Evaluation Inspection Summary

Clean Harbors Kansas, LLC
2549 N. New York
Wichita, Kansas 67219

EPA ID No.: KSD 007 246 846

Inspection Dates: January 27 and 28, 2010

KDHE Inspector: Joseph Mitchell, South Central District Office (SCDO), Bureau of Environmental Field Services (BEFS)

1.0 INTRODUCTION

On January 27 and 28, 2010, I conducted a routine compliance inspection at the facility referenced above to determine compliance with the State of Kansas waste regulations. The focus of the inspection was to identify types of wastes generated, points of waste generation, methods of waste management, and review relevant documents. This inspection was conducted under the authority of Kansas Administrative Regulation (K.A.R.) 28-31-12.

Prior to the inspection, I contacted Akhter Hossain, Ph.D., P.E. Kansas Department of Health and Environment (KDHE) Bureau of Waste Management (BWM) permit writer. Mr. Hossain was not able to be present during the inspection.

The permit for this Clean Harbors Kansas (CHK), L.L.C. expired on April 7, 2005. However, since KDHE received a renewal application dated October 8, 2004, the permit and all permit conditions remain in effect until a new permit is issued.

The facility was a permitted Treatment/Storage/Disposal/Facility (TSDF) for hazardous waste. Multiple types of containers were observed for the transporting of the hazardous wastes. The waste containers were processed, bar coded, and shipped off-site within 10 days to another TSDF for either disposal or for additional shipment to another TSDF.

The facility was approximately six acres in size surrounded by a six foot high chain link fence. Electronically, controlled gates and doors control access to the site. There were 10 buildings at the site labeled Buildings A through K (except F), a Processing Area, and Drum Dock. Many of the buildings were empty, but they all contained the required safety equipment. On January 3, 2006 BWM granted Clean Harbors request to deactivate buildings B, D, I, and J. Refer to site map in Attachment 1.

Based on the waste generation rates identified during the inspection, the facility was a Kansas Generator.

2.0 PREVIOUS VIOLATIONS

February 23, 2009 Inspection:

1) 40CFR264.15(c)/Permit Section II. E. Failure to comply with the permit concerning the deterioration of Building C.

March 18, 2008 Inspection:

1) 40 CFR 264.175(b)/265.175(b)(1)/Permit Section D-2(e)(1). Failure to maintain the concrete berm located in the secondary containment area of Building C.

3.0 INSPECTION

I arrived at the facility at 9:10 a.m. on January 27, 2010, and met with Mathew Noble, Facility General Manager. I presented my credentials and discussed the purpose and procedures of the compliance inspection. Mr. Noble explained the facility operations and described each of the facility's waste streams. I then conducted a walk-through inspection of the interior and exterior of the facility. Mr. Noble accompanied me during the walk-through inspection.

Refer to the previous inspection for the descriptions and processes occurring in Buildings A through I, the Processing Area, and Drum Dock.

Building J

This building was used for the storage of equipment and supplies such as drums, cardboard boxes, floor-dry etc. This building had been deactivated for the storage of hazardous waste. During the inspection I observed significant amounts of spilled product (floor-dry) on the floor. I observed the floor-dry had been walked through and tracked away from the original spill area. A comment was provided to the facility as Comment A on the notice of non-compliance (NONC) to clean up the spilled product immediately, so as to keep the product from being disposed of outside and onto the ground.

Building K

This building was observed as being used for storage of office equipment on the north half. In the south half of the building, in the garage, I observed two black metal 55-gallon containers. The containers contained desiccant. Mr. Noble stated the desiccant had been previously used in the air filtration system attached to the building. Mr. Noble stated the desiccant was still good product.

Perimeter

During the perimeter inspection I observed eleven 20-cubic-yard (yd^3) roll-off containers located on the west side of Building B in the trailer parking area. Ten of the roll-off containers were empty. Mr. Noble stated empty roll-off containers were temporarily stored onsite before they are returned to customers. I observed one 20-yd^3 roll-off container was open and labeled with a hazardous waste label (photo 1). The roll-off container contained approximately three percent of a dark colored solid on the sides and bottom of the container. Mr. Noble stated the container was mislabeled and previously contained oily soil and debris from a spill cleanup. Mr. Noble provided me with the waste material profile for the waste that was in the container (Attachment 2). A

comment was provided to the facility as Comment B on the NONC to label the roll-off containers correctly and to remove all prior hazardous waste labels from containers if the container did not contain hazardous waste.

Document Review

On January 27, 2010, Mr. Noble provided me with the requested documents for review. I reviewed the following documents: permit parts I and II, permit application parts A & B, manifests, land disposal restriction notices (LDRs), daily and weekly hazardous waste storage area inspection logs, material safety data sheets (MSDS), notification, analytical results, waste profiles, annual and biennial reports, personnel training records, and contingency plan.

No violations were identified during the inspection of the following regulatory areas:

- General and Notification Requirements – No problems were noted. The notification was current and correct.
- Pre-Transport Requirements - The treatment, storage, and disposal facility (TSDF) provides the generator with preprinted hazardous waste labels.
- Manifest Requirements - Manifests were on file and satisfactory. I reviewed past manifests beginning January 26, 2009 through the present.
- Hazardous Waste Reporting Requirements:
    - Biennial Reports - Past biennial reports were on file and satisfactory.
    - Annual Reports and Fees - Past annual reports were on file and satisfactory. Annual monitoring fees had been paid for 2008, and were currently being prepared for 2009.
- Preparedness and Prevention Requirements - All requirements were satisfactory.
- Personnel Training Requirements - Personnel training records were on file and satisfactory.
- Contingency Plan Requirements - The contingency plan was satisfactory.

4.0 DISCUSSION OF VIOLATIONS

Violation 1. **Storage of hazardous waste for more than one year in violation of K.A.R. 28-31-14/40 CFR 268.50(b).** Located in Building C in the northwest portion of Containment Management Unit (CMU) C700, I observed one black metal 55-gallon storage container labeled hazardous waste (photo 2). The storage container was located in an area where empty containers such as metal 55-gallon containers, 30-gallon fiberboard containers, and plastic 65-gallon over-pack containers that would be distributed to customers were being stored. The storage container was marked with an accumulation start date of June 14, 2008 (photo 3). The storage container had been

stored onsite for 593 days. The storage container was full of hazardous waste personal protective equipment (PPE), stickers, and paper backing for stickers (photo 2 and 4).

Failure to comply with the permit for containers of onsite generated waste stored over 90 days in violation of Permit Section III. A. / 40 CFR 262 was originally cited on the NONC. A letter was mailed to Clean Harbors Kansas, L.L.C. on February 8, 2010, changing the citation (Attachment 3).

Violation 2. **Failure to determine if waste is hazardous in violation of K.A.R. 28-31-4(b).** During the inspection determinations had not been conducted for the following wastes.

a) Located in Building C, CMU C400, I observed one closed and labeled fiberboard container accumulating spent 8-foot fluorescent lamps (photo 5). The label on the container read "Non-Hazardous Waste," and the accumulation start date was marked as July 21, 2008 (photo 6). The container contained twelve spent silver tipped GE 8-foot fluorescent lamps. Mr. Noble provided me the material safety data sheet (MSDS) he had on file as the document for his waste determination (Attachment 4). I observed the MSDS provided no evidence that the fluorescent lamps were non-hazardous. Mr. Noble stated the facility hadn't ever determined if their fluorescent lamps were hazardous. He stated he thought universal wastes were non-hazardous.
b) Located in the east storage area adjacent to the west side of the industrial elevator shaft in Building D, I observed the following three open and unlabeled white 5-gallon containers (photo 7):
    1) The south 5-gallon container was approximately one-third full of a dark brown colored solid. The interior side walls of the container had been stained by a dark liquid (photo 8). Mr. Noble did not know what was in the container.
    2) The middle 5-gallon container was full of a dark brown colored cardboard and a dark brown colored solid (photos 7 and 8). Mr. Noble did not know what was in the container.
    3) The north 5-gallon container was full of a dark brown colored solid (photos 7 and 9). Mr. Noble did not know what was in the container.

5.0 LIST OF HANDOUTS PROVIDED TO FACILITY

Technical Guidance Document HW 95-01, Spent Fluorescent Lamps Containing Mercury.

6.0 EXIT BRIEFING

On January 28, 2010, I returned to the facility and met with Mr. Noble, to discuss the results of the inspection. Steven Bley, Regional Compliance Manger attended via speakerphone. I discussed the two violation cited and the response procedures to return to compliance. At the conclusion of the exit briefing, I provided Mr. Noble with a signed copy of the NONC. I informed him that additional violations could still be identified once the information gathered during the inspection had been reviewed.

7.0 ATTACHMENTS

Attachment 1: Clean Harbors site map.
Attachment 2: Clean Harbors Waste Material Profile Sheet, Profile No. LM98-0366G-B.
Attachment 3: KDHE letter dated February 8, 2010.
Attachment 4: MSDS for GE Consumer and Industrial Lighting.

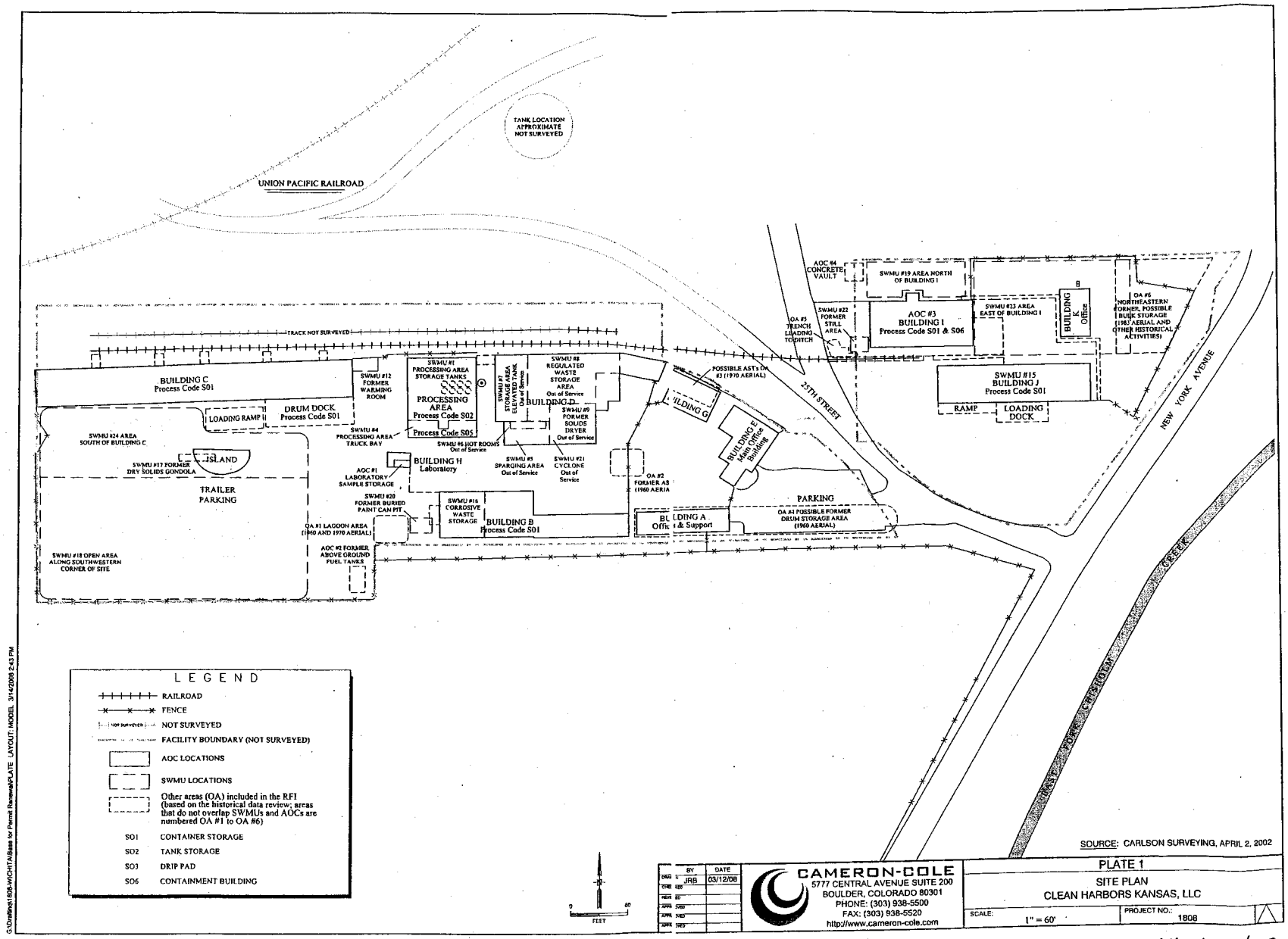
Photo log.

8.0 SIGNATURE OF AUTHOR/INSPECTOR

Joseph Mitchell prepared this report:

Signature

ATTACHMENTS



Attachment 2

ATTACHMENT 1 Page 1 of 1

WASTE MATERIAL PROFILE SHEET

Clean Harbors Profile No. LM98-0366G-B

A. GENERAL INFORMATION

GENERATOR EPA ID #/REGISTRATION # ***KSD984990697*** GENERATOR NAME: ***Southern Star Central Gas PL***

GENERATOR CODE (Assigned by Clean Harbors) ***SO0896*** CITY ***Welda*** STATE/PROVINCE ***KS*** ZIP/POSTAL CODE ***66091***

ADDRESS ***19209 SW Maryland Road PO Box 550*** PHONE: **(270) 852-4422**

CUSTOMER CODE (Assigned by Clean Harbors) ***WIL1370*** CUSTOMER NAME: ***Southern Star Central Gas***

ADDRESS ***4700 Hwy 56*** CITY ***Owensboro*** STATE/PROVINCE ***KY*** ZIP/POSTAL CODE ***42301***

B. WASTE DESCRIPTION

WASTE DESCRIPTION: ***Oily dirt & debris***

PROCESS GENERATING WASTE (Please provide detailed description of process generating waste):

Spill cleanup

C. PHYSICAL PROPERTIES (at 25C or 77F)

PHYSICAL STATE
- [x] SOLID WITHOUT FREE LIQUID
- [ ] POWDER
- [ ] MONOLITHIC SOLID
- [ ] LIQUID WITH NO SOLIDS
- [ ] LIQUID/SOLID MIXTURE
  - % FREE LIQUID
  - % SETTLED SOLID
  - % TOTAL SUSPENDED SOLID
- [ ] SLUDGE
- [ ] GAS/AEROSOL

NUMBER OF PHASES/LAYERS

1 2 3

% BY VOLUME (Approx.)

TOP ***0.00***

MIDDLE ***0.00***

BOTTOM ***0.00***

VISCOSITY (If liquid present)
- 1 - 100 (e.g. Water)
- 101 - 500 (e.g. Motor Oil)
- 501 - 10,000 (e.g. Molasses)
- > 10,000

COLOR

varies

ODOR
- [x] NONE
- [ ] MILD
- [ ] STRONG

Describe:

BOILING POINT °F (°C)
- <= 95 (<=35)
- 95 - 100 (35-38)
- 101 - 129 (38-54)
- >= 130 (>54)

MELTING POINT °F (°C)
- < 140 (<60)
- 140-200 (60-93)
- [x] > 200 (>93)

TOTAL ORGANIC CARBON
- [x] <= 1%
- 1-9%
- >= 10%

FLASH POINT °F (°C)
- < 73 (<23)
- 73 - 100 (23-38)
- 101 -140 (38-60)
- 141 -200 (60-93)
- > 200 (>93)

pH
- <= 2
- 2.1 - 6.9
- [x] 7 (Neutral)
- 7.1 - 12.4
- >= 12.5

SPECIFIC GRAVITY
- < 0.8 (e.g. Gasoline)
- 0.8-1.0 (e.g. Ethanol)
- 1.0 (e.g. Water)
- 1.0-1.2 (e.g. Antifreeze)
- [x] > 1.2 (e.g. Methylene Chloride)

ASH
- < 0.1
- 0.1 - 1.0
- 1.1 - 5.0
- 5.1 - 20.0
- > 20
- [x] Unknown

BTU/LB (MJ/kg)
- [x] < 2,000 (<4.6)
- 2,000-5,000 (4.6-11.6)
- 5,000-10,000 (11.6-23.2)
- > 10,000 (>23.2)

Actual:

D. COMPOSITION (List the complete composition of the waste, include any inert components and/or debris. Ranges for individual components are acceptable. If a trade name is used, please supply an MSDS. Please do not use abbreviations.)

CHEMICAL	MIN	--	MAX	UOM
OILY DEBRIS	0.0000000	--	50.0000000	%
OILY SOIL	0.0000000	--	50.0000000	%

DOES THIS WASTE CONTAIN ANY HEAVY GAUGE METAL DEBRIS OR OTHER LARGE OBJECTS (EX., METAL PLATE OR PIPING >1/4" THICK OR >12" LONG, METAL REINFORCED HOSE >12" LONG, METAL WIRE >12" LONG, METAL VALVES, PIPE FITTINGS, CONCRETE REINFORCING BAR OR PIECES OF CONCRETE >3")? YES [x] NO

If yes, describe, including dimensions:

DOES THIS WASTE CONTAIN ANY METALS IN POWDERED OR OTHER FINELY DIVIDED FORM? YES [x] NO

DOES THIS WASTE CONTAIN OR HAS IT CONTACTED ANY OF THE FOLLOWING; ANIMAL WASTES, HUMAN BLOOD, BLOOD PRODUCTS, BODY FLUIDS, MICROBIOLOGICAL WASTE, PATHOLOGICAL WASTE, HUMAN OR ANIMAL DERIVED SERUMS OR PROTEINS OR ANY OTHER POTENTIALLY INFECTIOUS MATERIAL? YES [x] NO

I acknowledge that this waste material is neither infectious nor does it contain any organism known to be a threat to human health. This certification is based on my knowledge of the material. Select the answer below that applies:

The waste was never exposed to potentially infectious material. YES NO

Chemical disinfection or some other form of sterilization has been applied to the waste. YES NO

I ACKNOWLEDGE THAT THIS PROFILE MEETS THE CLEAN HARBORS BATTERY PACKAGING REQUIREMENTS. YES NO

I ACKNOWLEDGE THAT MY FRIABLE ASBESTOS WASTE IS DOUBLE BAGGED AND WETTED. YES NO

SPECIFY THE SOURCE CODE ASSOCIATED WITH THE WASTE. ***G32*** SPECIFY THE FORM CODE ASSOCIATED WITH THE WASTE. ***W319***

ATTACHMENT 2 Page 1 of 3

E. CONSTITUENTS

Are these values based on testing or knowledge? ☑ Knowledge ☐ Testing

If based on knowledge, please describe the rationale applied to identify and characterize the waste material (ex., include reference to Material Safety Data Sheets, process considerations, operating procedures).

Generator

Please indicate which constituents below apply. Concentrations must be entered when applicable to assist in accurate review and expedited approval of your waste profile. Please note that the total regulated metals and other constituents sections require answers.

RCRA	REGULATED METALS	REGULATORY LEVEL (mg/l)	TCLP mg/l	TOTAL	UOM	NOT APPLICABLE
D004	ARSENIC	5.0				☑
D005	BARIUM	100.0				☑
D006	CADMIUM	1.0				☑
D007	CHROMIUM	5.0				☑
D008	LEAD	5.0				☑
D009	MERCURY	0.2				☑
D010	SELENIUM	1.0				☑
D011	SILVER	5.0				☑
	VOLATILE COMPOUNDS					
D018	BENZENE	0.5				
D019	CARBON TETRACHLORIDE	0.5				
D021	CHLOROBENZENE	100.0				
D022	CHLOROFORM	6.0				
D028	1,2-DICHLOROETHANE	0.5				
D029	1,1-DICHLOROETHYLENE	0.7				
D035	METHYL ETHYL KETONE	200.0				
D039	TETRACHLOROETHYLENE	0.7				
D040	TRICHLOROETHYLENE	0.5				
D043	VINYL CHLORIDE	0.2				
	SEMI-VOLATILE COMPOUNDS					
D023	o-CRESOL	200.0				
D024	m-CRESOL	200.0				
D025	p-CRESOL	200.0				
D026	CRESOL (TOTAL)	200.0				
D027	1,4-DICHLOROBENZENE	7.5				
D030	2,4-DINITROTOLUENE	0.13				
D032	HEXACHLOROBENZENE	0.13				
D033	HEXACHLOROBUTADIENE	0.5				
D034	HEXACHLOROETHANE	3.0				
D036	NITROBENZENE	2.0				
D037	PENTACHLOROPHENOL	100.0				
D038	PYRIDINE	5.0				
D041	2,4,5-TRICHLOROPHENOL	400.0				
D042	2,4,6-TRICHLOROPHENOL	2.0				
	PESTICIDES AND HERBICIDES					
D012	ENDRIN	0.02				
D013	LINDANE	0.4				
D014	METHOXYCHLOR	10.0				
D015	TOXAPHENE	0.5				
D016	2,4-D	10.0				
D017	2,4,5-TP (SILVEX)	1.0				
D020	CHLORDANE	0.03				
D031	HEPTACHLOR (AND ITS EPOXIDE)	0.008				

OTHER CONSTITUENTS	MAX	UOM	NOT APPLICABLE
BROMINE			☑
CHLORINE			☑
FLUORINE			☑
IODINE			☑
SULFUR			☑
POTASSIUM			☑
SODIUM			☑
AMMONIA			☑
CYANIDE AMENABLE			☑
CYANIDE REACTIVE			☑
CYANIDE TOTAL			☑
SULFIDE REACTIVE			☑

HOCs

☑ NONE
< 1000 PPM
>= 1000 PPM

PCBs

☑ NONE
< 50 PPM
>=50 PPM

IF PCBS ARE PRESENT, IS THE WASTE REGULATED BY TSCA 40 CFR 761?

YES ☑ NO

ADDITIONAL HAZARDS

DOES THIS WASTE HAVE ANY UNDISCLOSED HAZARDS OR PRIOR INCIDENTS ASSOCIATED WITH IT, WHICH COULD AFFECT THE WAY IT SHOULD BE HANDLED?

YES ☑ NO (If yes, explain)

CHOOSE ALL THAT APPLY

DEA REGULATED SUBSTANCE	EXPLOSIVE	FUMING	OSHA REGULATED CARCINOGENS
POLYMERIZABLE	RADIOACTIVE	REACTIVE MATERIAL	☑ NONE OF THE ABOVE

F. REGULATORY STATUS

YES ☑ NO USEPA HAZARDOUS WASTE?

YES ☑ NO DO ANY STATE WASTE CODES APPLY?

Texas Waste Code

YES ☑ NO DO ANY CANADIAN PROVINCIAL WASTE CODES APPLY?

YES ☑ NO IS THIS WASTE PROHIBITED FROM LAND DISPOSAL WITHOUT FURTHER TREATMENT PER 40 CFR PART 268?

LDR CATEGORY: ***Not subject to LDR***
VARIANCE INFO:

YES ☑ NO IS THIS A UNIVERSAL WASTE?

☑ YES NO IS THE GENERATOR OF THE WASTE CLASSIFIED AS CONDITIONALLY EXEMPT SMALL QUANTITY GENERATOR (CESQG)?

YES NO IS THIS MATERIAL GOING TO BE MANAGED AS A RCRA EXEMPT COMMERCIAL PRODUCT, WHICH IS FUEL (40 CFR 261.2 (C)(2)(II))?

YES ☑ NO DOES TREATMENT OF THIS WASTE GENERATE A F006 OR F019 SLUDGE?

YES NO IS THIS WASTE STREAM SUBJECT TO THE INORGANIC METAL BEARING WASTE PROHIBITION FOUND AT 40 CFR 268.3(C)?

YES ☑ NO DOES THIS WASTE CONTAIN VOC'S IN CONCENTRATIONS >=500 PPM?

YES NO DOES THE WASTE CONTAIN GREATER THAN 20% OF ORGANIC CONSTITUENTS WITH A VAPOR PRESSURE >= .3KPA (.044 PSIA)?

YES ☑ NO DOES THIS WASTE CONTAIN AN ORGANIC CONSTITUENT WHICH IN ITS PURE FORM HAS A VAPOR PRESSURE > 77 KPA (11.2 PSIA)?

YES ☑ NO IS THIS CERCLA REGULATED (SUPERFUND) WASTE ?

YES ☑ NO IS THE WASTE SUBJECT TO ONE OF THE FOLLOWING NESHAP RULES?

Hazardous Organic NESHAP (HON) rule (subpart G) Pharmaceuticals production (subpart GGG)

YES NO IF THIS IS A US EPA HAZARDOUS WASTE, DOES THIS WASTE STREAM CONTAIN BENZENE?

YES NO Does the waste stream come from a facility with one of the SIC codes listed under benzene NESHAP or is this waste regulated under the benzene NESHAP rules because the original source of the waste is from a chemical manufacturing, coke by-product recovery, or petroleum refinery process?

YES NO Is the generating source of this waste stream a facility with Total Annual Benzene (TAB) >10 Mg/year?

What is the TAB quantity for your facility? Megagram/year (1 Mg = 2,200 lbs)

The basis for this determination is: Knowledge of the Waste Or Test Data Knowledge Testing

Describe the knowledge :

G. DOT/TDG INFORMATION

DOT/TDG PROPER SHIPPING NAME:

NONE, NON HAZARDOUS, NON D.O.T. REGULATED, (OILY SOIL, OILY DEBRIS), N/A

H. TRANSPORTATION REQUIREMENTS

ESTIMATED SHIPMENT FREQUENCY ONE TIME WEEKLY MONTHLY QUARTERLY YEARLY ☑ OTHER ***As needed***

CONTAINERIZED

0-0 CONTAINERS/SHIPMENT

STORAGE CAPACITY:
CONTAINER TYPE:

CUBIC YARD BOX PALLET
TOTE TANK ☑ DRUM
OTHER:

DRUM SIZE: ***55***

BULK LIQUID

GALLONS/SHIPMENT: ***0 Min -0 Max*** GAL.

☑ **BULK SOLID**

SHIPMENT UOM: ☑ TON YARD

TONS/YARDS/SHIPMENT: ***10.00 Min - 25.00 Max***

I. SPECIAL REQUEST

COMMENTS OR REQUESTS:

GENERATOR'S CERTIFICATION

I hereby certify that all information submitted in this and attached documents is correct to the best of my knowledge. I also certify that any samples submitted are representative of the actual waste. If Clean Harbors discovers a discrepancy during the approval process, Generator grants Clean Harbors the authority to amend the profile, as Clean Harbors deems necessary, to reflect the discrepancy.

AUTHORIZED SIGNATURE	NAME (PRINT)	TITLE	DATE
	Mark Sullivan	Environmental Specialist	10/18/2004

ATTACHMENT 2 Page 3 of 3

KANSAS

DEPARTMENT OF HEALTH AND ENVIRONMENT

Mark Parkinson, Governor
Roderick L. Bremby, Secretary

www.kdheks.gov

February 8, 2010

Matt Noble
Clean Harbors Kansas, L.L.C.
2549 N. New York
Wichita, KS 67219-4322

RE: Waste Compliance Inspection
Inspection Dates: January 27 and 28, 2010
Clean Harbors Kansas, L.L.C.
2549 N. New York
Wichita, Kansas 67219-4322
EPA Identification No.: KSD 007 246 846

Dear Mr. Noble:

On January 27 and 28, 2010, I conducted a compliance inspection at the facility referenced above. As a result of the inspection, two violations were identified and cited on the January 28, 2010 Notice of Non-Compliance. After reviewing the information, Violation 1: Permit Section III.A/40 CFR 264 Subpart I. Failure to comply with the permit for containers of onsite generated waste stored for over 90 days, shall be changed to read:

K.A.R. 28-31-4 JM 2-10-2010
Violation 1: 40 CFR 268.50(b). Storage of hazardous waste over one year.

An extension of **February 17, 2010** has been provided to submit a written response of the corrective actions taken to reflect the change in Violation 1. In addition, the response of corrective actions taken to correct Violation 2 may also be submitted by this extension deadline.

Your cooperation with the waste management program is appreciated. If you haven any questions regarding this letter, please contact me at (316) 337-6038.

Sincerely,

Joseph Mitchell
Environmental Scientist
Bureau of Environmental Field Services

C: Jim Rudeen – BWM
Rebecca Wenner – BWM
SCDO – Waste Unit

GE Consumer & Industrial
Lighting

Lamp Material Information Sheet

Material Safety Data Sheets (MSDS)
Information and Applicability

The Material Safety Data Sheet (MSDS) requirements of the Occupational Safety and Health Administration (OSHA) for chemicals are *not* applicable to manufactured articles such as lamps. No material contained in a lamp is released during normal use and operation.

The following information is provided as a service to our customers. The following Lamp Material Information Sheet contains applicable Material Safety Data Sheet information.

I. Product Identification

GE Fluorescent Lamps

GE Consumer & Industrial
Lighting
1975 Noble Road
Nela Park
Cleveland, OH 44112
(216) 266-2222

II. Lamp Materials and Hazardous Ingredients

Glass & Metal
The glass tube used in a standard fluorescent lamp is manufactured from soda-lime glass and is essentially similar but not identical to that used throughout the glass industry for bottles and other common consumer items. The end-caps on the lamp are generally aluminum while the wires in the lamps (called filaments or cathodes) are made of tungsten. None of these materials would present a potential hazard in the event of breakage of the lamp, aside from the obvious ones due to broken glass. Some fluorescent lamps (CovRguard™ products) use an external coating of polycarbonate to provide a shatter-resistant coating.

Phosphor
The fluorescent product line uses two different phosphor systems. One phosphor system (halophosphate) uses calcium chloro-fluoro-phosphate, with small amounts (less than 1-2% by weight the phosphor) of antimony and manganese, both of which are tightly bound in the phosphor matrix. The second phosphor system (SP/SPX) uses a mixture of rare earth elements such as lanthanum, and yttrium as either an oxide or as a phosphate, along with a barium/aluminum oxide. These phosphors produce better lamp efficiency and color rendition. The phosphor components may vary slightly depending on the color of the lamp (cool white, warm white, etc.). Also, in some lamps designed for reduced power consumption, a thin coating of tin oxide is placed on the inside of the glass prior to coating the glass with the phosphor.

Normally a 1.5 inch diameter (T12) fluorescent lamp has approximately 1 - 1.25 grams of the phosphor per foot of lamp. A standard four-foot lamp has about 4 - 5 grams of the phosphor coating its inside length. The one-inch diameter (T8) lamp would have proportionally less phosphor due to its smaller size.

Mercury
Mercury is present in small amounts in all fluorescent lamps. The overall fleet average for all GE fluorescent lamps has been reduced by more than 75% since 1990 due to significant investments in new manufacturing technology. The amount of mercury present in any given lamp will vary depending on both the size of the lamp and the design life of the lamp. Smaller, shorter life lamps generally have lower mercury content.

III. Health Concerns

Phosphor
Except for small changes, it is essentially the same phosphor that has been in use in our lamps for over fifty years. The Industrial Hygiene Foundation of the Mellon Institute found no significant adverse effects, either by ingestion, inhalation, skin contact, or eye implant, in a five-year animal study of the original phosphor. Also, there have been no significant adverse effects on humans by any of these routes during the many years of its manufacture or use. The phosphor is somewhat similar to the inert mineral apatites (calcium phosphate-fluorides) that occur in nature.

Antimony, manganese, yttrium and tin compounds are characterized by OSHA as hazardous chemicals, as are most inorganic compounds. However, due to their insolubility, relatively low toxicity and small amount present in the phosphor and the lamp, these materials do not present a significant hazard in the event of breakage of the lamp.

Barium and cadmium had also been used as additives to the phosphor in lamps made prior to mid-1988 but are no longer used in the phosphor in current production. These materials are also considered hazardous chemicals. In addition, although the evidence is limited and conflicting, cadmium and certain cadmium compounds have been listed by the International Agency for Research on Cancer as possible human carcinogens.

Mercury
Neither the mercury nor the phosphor concentration in air produced as a result of breaking one or a small number of fluorescent lamps should result in significant exposures to the individual. However, when breaking a large number of lamps for disposal, appropriate industrial hygiene monitoring and controls should be implemented to minimize airborne levels or surface contamination. We recommend that the work be done in a well-ventilated area, and local exhaust ventilation or personal protective equipment may be needed.

IV. Disposal Concerns

TCLP
A Toxicity Characteristic Leaching Procedure (TCLP) conducted on traditional fluorescent lamp designs for mercury would most likely cause the lamps to be classified as a hazardous waste due to the mercury content. While small numbers of these lamps placed in ordinary trash may not appreciably affect the nature or method of disposal of the trash, under most circumstances disposal of large quantities may be regulated. You should review your waste handling practices to assure that you dispose of waste lamps properly and contact your state environmental department for any regulations that may apply. To check state regulations or to locate a recycler, go to www.lamprecycle.org. Reduced mercury fluorescent lamps that consistently pass the TCLP test are available and marketed under the Ecolux trade name. For more information on Ecolux fluorescent lamps visit www.gelighting.comT .

KANSAS DEPARTMENT OF HEALTH AND ENVIRONMENT
DIVISION OF ENVIRONMENT
Bureau of Environmental Field Services
Waste Management Programs
South Central District Office

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Site Name: Clean Harbors Kansas, L.L.C.
Address: 2549 N. New York
County: Sedgwick
Legal: N/A

EPA ID No.: KSD 007 246 846
City: Wichita
Camera: Sony Cyber-shot DSC-H3
Taken By: Joseph Mitchell

Photo No.:	1
Archive Disc File No.:	FY10
Date:	January 27, 2010
Time:	10:49 a.m.
Location:	Outside west side of Building B
Direction Faced:	East
Weather Conditions:	Sunny

Comments:
A 20 cubic-yard roll-off container labeled hazardous waste. Mr. Noble stated the container was mislabeled and did not contain hazardous waste but rather the container had contained non-hazardous oily soil and debris.

Photo No.:	2
Archive Disc File No.:	FY10
Date:	January 27, 2010
Time:	11:21 a.m.
Location:	Building C
Direction Faced:	North
Weather Conditions:	Sunny

Comments:
A black metal 55-gallon hazardous waste storage container. Mr. Noble opened the container. The container is full of hazardous waste personal protective equipment (PPE), stickers, and paper backing for stickers. The two black 55-gallon containers depicted behind the labeled container were empty.

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Site Name: Clean Harbors Kansas, L.L.C.
Address: 2549 N. New York
County: Sedgwick
Legal: N/A

EPA ID No.: KSD 007 246 846
City: Wichita
Camera: Sony Cyber-shot DSC-H3
Taken By: Joseph Mitchell

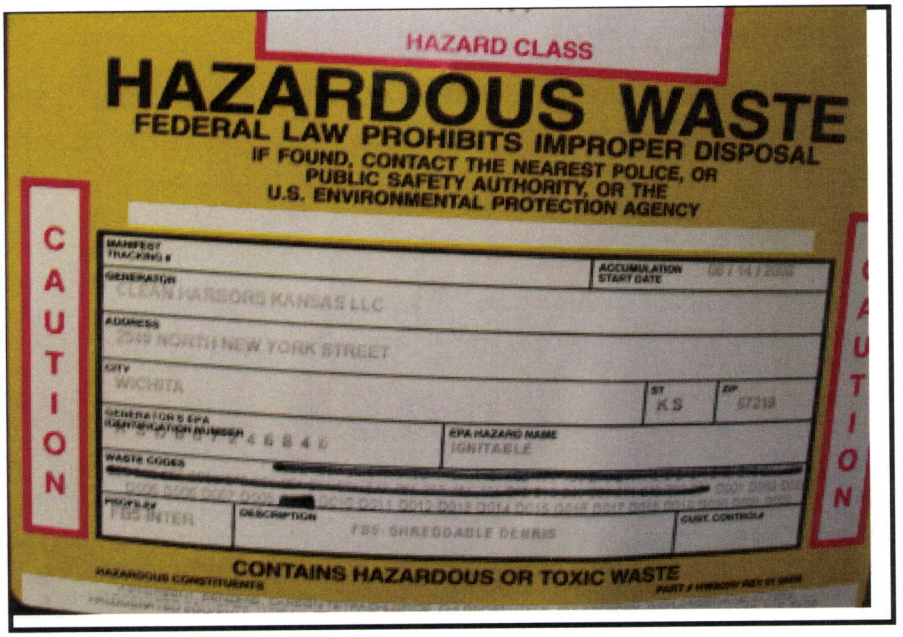

Photo No.:	3
Archive Disc File No.:	FY10
Date:	January 27, 2010
Time:	11:20 a.m.
Location:	Building C
Direction Faced:	North
Weather Conditions:	Sunny

Comments:
Close-up of the hazardous waste label depicted on the black metal 55-gallon container in photo 2. The accumulation start date printed on the label reads 06/14/2008.

Photo No.:	4
Archive Disc File No.:	FY10
Date:	January 27, 2010
Time:	11:21 a.m.
Location:	Building C
Direction Faced:	North
Weather Conditions:	Sunny

Comments:
Close-up of the contents of the container depicted in photo 2. Depicted are PPE (leather glove), stickers, and paper backing for stickers.

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Site Name: Clean Harbors Kansas, L.L.C.
Address: 2549 N. New York
County: Sedgwick
Legal: N/A

EPA ID No.: KSD 007 246 846
City: Wichita
Camera: Sony Cyber-shot DSC-H3
Taken By: Joseph Mitchell

Photo No.: 5
Archive Disc File No.: FY10
Date: January 27, 2010
Time: 11:14 a.m.
Location: Building C
Direction Faced: West
Weather Conditions: Sunny
Comments:
A closed and labeled fiberboard container. The container contained 12 spent silver tipped GE 8-foot fluorescent lamps. The blue container depicted behind the fiberboard container contained facility equipment.

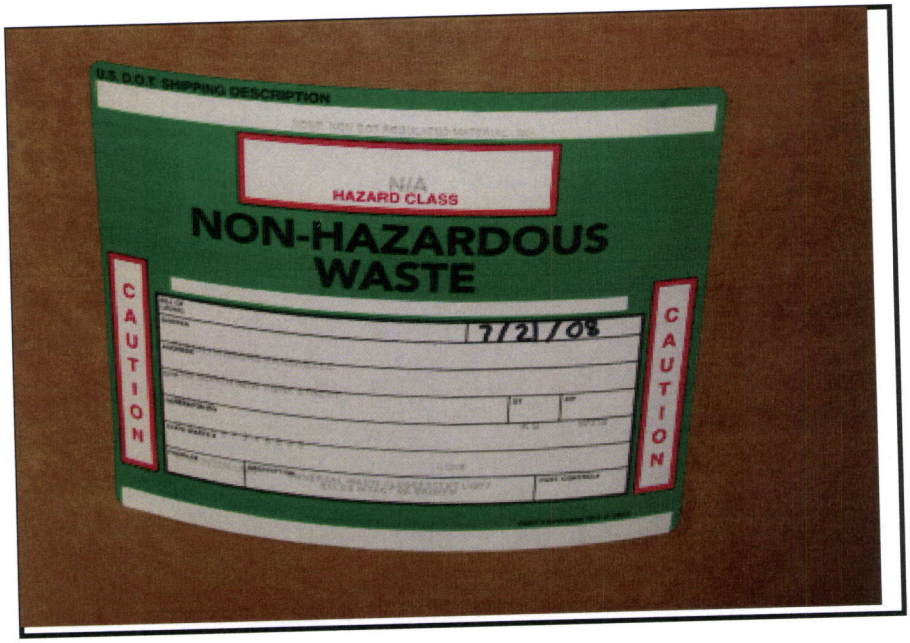

Photo No.: 6
Archive Disc File No.: FY10
Date: January 27, 2010
Time: 11:14 a.m.
Location: Building C
Direction Faced: West
Weather Conditions: Sunny
Comments:
Close-up of the container label depicted in photo 5. The accumulation start date written on the container reads 7/21/08.

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Site Name: Clean Harbors Kansas, L.L.C.
Address: 2549 N. New York
County: Sedgwick
Legal: N/A

EPA ID No.: KSD 007 246 846
City: Wichita
Camera: Sony Cyber-shot DSC-H3
Taken By: Joseph Mitchell

Photo No.: 7
Archive Disc File No.: FY10
Date: January 27, 2010
Time: 11:48 a.m.
Location: Building D
Direction Faced: South
Weather Conditions: Sunny
Comments:
Three open and unlabeled 5-gallon containers. The container in the back (south) is approximately one-third full of an unknown dark brown solid. The container in the middle is full of a dark brown solid and additionally contained a dark brown cardboard. The container in front (north) is full and contains an unknown dark brown solid. The black 55-gallon container depicted on the left contained product.

Photo No.: 8
Archive Disc File No.: FY10
Date: January 27, 2010
Time: 11:48 a.m.
Location: Building D
Direction Faced: South
Weather Conditions: Sunny
Comments:
Close-up of the contents of the back (south) container and middle container depicted in photo 7.

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Site Name: Clean Harbors Kansas, L.L.C.
Address: 2549 N. New York
County: Sedgwick
Legal: N/A

EPA ID No.: KSD 007 246 846
City: Wichita
Camera: Sony Cyber-shot DSC-H3
Taken By: Joseph Mitchell

Photo No.: 9
Archive Disc File No.: FY10
Date: January 27, 2010
Time: 11:48 a.m.
Location: Building D
Direction Faced: N/A
Weather Conditions: Sunny
Comments:
Close-up of the front (north) container depicted in photo 7.